

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

In re:	:	
	:	
NORTHWESTERN CORPORATION,	:	Chapter 11
	:	
Reorganized Debtor.	:	Case No. 03-12872-KJC
	:	
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MAGTEN ASSET MANAGEMENT	:	
CORPORATION and LAW DEBENTURE	:	
TRUST COMPANY OF NEW YORK	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 04-1494-JJF
	:	
NORTHWESTERN CORPORATION	:	
	:	
	:	
Defendant.	:	
	:	
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MAGTEN ASSET MANAGEMENT CORP.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil Action No. 05-499-JJF
	:	
MIKE J. HANSON and ERNIE J.	:	
KINDT,	:	
	:	
Defendants.	:	

O R D E R

WHEREAS, Plaintiffs have filed a letter (D.I. 302) in Civil Action 04-1494-JJF indicating that the parties have reached a "global compromise and settlement" as to Civil Action 04-1494, and all related actions, and requesting the Court to stay or adjourn all matters pending before the Court;

NOW THEREFORE, IT IS HEREBY ORDERED that the following Motions are DENIED with leave to renew, if settlement is not consummated:

1. The Motion For Summary Judgment filed by NorthWestern Corp. (D.I. 242 in 04-1494; D.I. 280 in 05-499);

2. The Motion In Limine Striking Expert Reports and Precluding Testimony Of Paul A. Marcus and Robert W. Berliner (D.I. 267 in 04-1494; D.I. 304 in 05-499) filed by NorthWestern Corp.;

3. The in Limine to Exclude the Hylland Report (D.I. 282 in 04-1494; D.I. 322 in 05-499) filed by NorthWestern Corp.;

4. The Motion in Limine to Exclude SEC Evidence (D.I. 284 in 04-1494; D.I. 326 in 05-499) filed by NorthWestern Corp.;

5. The Motion In Limine To Exclude Testimony of Kipp Orme (D.I. 286 in 04-1494; D.I. 329 in 05-499) filed by NorthWestern Corp.;

6. The Motion In Limine To Exclude Law Debenture's Request For Attorneys Fees And Expenses (D.I. 288 in 04-1494; D.I. 331 in 05-499) filed by NorthWestern Corp.;

7. Motion In Limine To Exclude Expert Report and Testimony of Christopher A. Kearns (D.I. 290 in 04-1494; D.I. 339 in 05-499) filed by Magten Asset Management Company;

8. Motion In Limine to Exclude Testimony of Charles A. Patrizia Pursuant To FRCP 37(c) (D.I. 293 in 04-1494; D.I. 348 in

05-499) filed by Magten Asset Management Corp.;

9. The Motion For Summary Judgment (D.I. 273 in 05-499) filed by Defendants Hanson and Kindt;

10. The Motion To Amend/Correct Complaint (D.I. 278 in 05-499) filed by Magten Asset Management Corp.;

11. The Motion In Limine To Strike And Exclude Expert Witnesses (D.I. 302 in 05-499) filed by Defendants Hanson and Kindt;

12. The Motion In Limine To Exclude Expert Report And Testimony Of Stephen J. Scherf (D.I. 323 in 05-499) filed by Magten Asset Management Corp.;

13. The Motion To Strike Plaintiff's Jury Demand (D.I. 332 in 05-499) filed by Defendants Hanson and Kindt.;

14. the Motion In Limine To Exclude All Opinion Testimony Related To Evidence Of Insolvency (D.I. 335 in 05-499);

15. The Motion In Limine To Exclude Evidence Of Events Occurring Post November 15, 2002 (D.I. 337 in 05-499) filed by Defendants Hanson and Kindt;

16. The Motion In Limine To Exclude Evidence Relating To Damages And Relief Not Permitted by Law (D.I. 343 in 05-499) filed by Defendants Hanson and Kindt;

17. The Motion In Limine To Bifurcate Liability And Damages And Relief Not Permitted By Law (D.I. 340 in 05-499) filed by Defendants Hanson and Kindt; and

18. The Motion In Limine To Exclude Evidence Relating To Increased Cost of Capital and/or Evidence Of Undercapitalization (D.I. 345) filed by Defendants Hanson and Kindt.

February 19, 2008  
DATE

  
UNITED STATES DISTRICT JUDGE